

**STATE OF CALIFORNIA
CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION**

CLEANUP AND ABATEMENT ORDER NO: 95-226

**ACME FILL CORPORATION
P.O. BOX 1108
MARTINEZ, CALIFORNIA 94553**

The California Regional Water Quality Control Board, San Francisco Bay Region (the Board), finds that:

1. ACME FILL Corporation owns and operates a landfill located at 950 Waterbird Way in Martinez, California. The landfill consists of three waste parcels, designated as the North, South and East Parcels.
2. The North and East Parcels are the focus of this Order. The North Parcel covers about 125 acres of former tidal lands and contains an estimated 11 million cubic yards of waste material, primarily municipal solid waste with some hazardous industrial waste. No wastes have been accepted since November 18, 1989. The East Parcel which covers approximately 97 acres is an active site and is permitted to accept municipal waste.
3. The purpose of this Order is to establish final requirements for leachate extraction rates and leachate level goals for the North and East Parcels.
4. The Board adopted Waste Discharge Requirements No. 91-023 that required continued operation of the closure of the landfill parcels. Further, the Order established closure requirements for the facility allowing control and management of leachate and to prevent degradation of state waters.
5. On December 16, 1992 the Board adopted CAO No. 92-158 establishing a time schedule for submittal of technical reports documenting the extraction, treatment and discharge of leachate from the North Parcel.
6. On June 16, 1993 the Board adopted Amended CAO No. 93-059 establishing a revised time schedule for submittal of technical report documenting the extraction, treatment and discharge of leachate from the North Parcel at rates necessary to eliminate the leachate mound within four years and to accomplish leachate level control as necessary for the East

and South Parcels.

7. ACME is in violation of these Orders because they did not achieve compliance with the time frames established under the two CAO's.
8. Existence of a leachate mound within the North Parcel is an indication of a leachate buildup, which has been caused by an upwelling of groundwater due to the Younger Bay Mud consolidation, precipitation, and lack of an extraction system with higher flow rates. Without adequate leachate removal rates, there is a potential for continued migration of contaminants and threat of discharge to surface waters and to wetlands.
9. The discharger has presented new information in their technical report dated July 28, 1995 "Addressing Estimated Time to Reduce Leachate in the North and East Parcels" indicating that the leachate mound in the North Parcel could be reduced within 5 to 11 years if the leachate is extracted at an average sustained rate of 19 gpm.
10. ACME is currently extracting and treating leachate from the North Parcel at an approximate flow rate of 25 gpm. The principal contaminants of concern in the leachate are ammonia (averaging about 548 mg/l) and total dissolved solids (averaging about 166 mg/l). The treatment plant is a biological activated sludge nitrification plant with powdered activated carbon added to enhance treatment performance. The facility consists of three influent equalization tanks, two aeration tanks, one clarifier, two effluent equalization tanks that provide supplementary clarification, powdered activated carbon feed system, and pH control system.
11. The effluent is discharged to the Central Contra Costa Sanitary Sewer District sewage treatment plant. Based on current monitoring data, the plant is operating relatively consistently and is achieving compliance with the discharge requirements of the sanitary district.
12. This action is an Order to enforce the laws and regulations administered by the Board. This action is categorically exempt from the provisions of CEQA pursuant to Section 15321 of Resources Agency Guidelines.
13. The Board has notified ACME Fill Corporation and interested agencies and persons of its intent under California Water Code Section 13304 to issue a Cleanup and Abatement Order and has provided them with the opportunity for a public hearing and an opportunity to submit their written views and recommendations.
14. The Board, in a public meeting, heard and considered all comments pertaining to the discharge.
15. Pursuant to California Water Code Section 13304, if the discharger fails to comply with the provisions of this Order and any subsequent amendments, the Executive Officer may

request the Attorney General to take appropriate enforcement against the discharger including injunctive relief; or the Regional Board may schedule a hearing to consider requesting the Attorney General to take appropriate enforcement action against the discharger, including injunctive and civil monetary remedies; or the Board may schedule a hearing to administratively impose civil liability not to exceed one thousand dollars (\$1000) for each day the Order is violated.

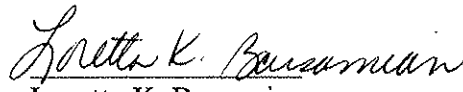
IT IS HEREBY ORDERED that, pursuant to Section 13304, Division 7, Chapter 5, Article 1 of the California Water Code that ACME FILL CORPORATION shall cleanup and abate the discharge as follows:

1. The discharger shall maintain a minimum of 22 gpm quarterly average leachate extraction rate from North Parcel until November 1, 1996 and at quarterly average of no less than 12 gpm thereafter.
2. The discharger shall commence and subsequently maintain a minimum of 5 gpm quarterly average leachate extraction rate from East Parcel by November 1, 1996. Prior to November 1, 1996, the discharger may treat leachate from the East Parcel as part of a testing program which will be considered part of the minimum extraction rate required for the North Parcel as identified in 1. above.
3. Effective November 1, 1996, the leachate extraction is to be maintained at a minimum outflow rate of 22 gpm averaged over a calendar quarter. To assure proper operation of the treatment plant, the extraction rates from the North and East Parcels may be varied as long as the quarterly averages of 12 and 5 gpm respectively are maintained.
4. Extraction rates established in item Nos. 1 and 2 above are to be maintained until
 - a. minimum leachate levels are no greater than 1 foot above mean sea level
 - b. or ACME demonstrates to the satisfaction of the Executive Officer that balance in extraction rates between the two parcels will more adequately minimize the threat to water quality
5. Upon achievement of leachate levels as identified in item No. 3 above, the discharger shall continue to extract leachate at the appropriate rates to maintain leachate levels within 1 foot of mean sea level.
6. The discharger shall submit an annual report, acceptable to the Executive Officer, estimating the reduction of leachate during the year and revising prediction as to time necessary to eliminate leachate mound within the North and East Parcels. The annual report shall include a tabular and a graphical representation of the leachate mound, showing the year and the accomplished reduction in leachate levels, and the estimated time remaining to reduce the leachate levels to below one foot of surrounding groundwater

levels. The first annual report is due in one year from the time of the adoption of this Order.

7. If the annual reports indicate that leachate extraction rates are insufficient to reduce the leachate mounds in the two parcels within the currently projected 5 to 10 year timeframe or that extraction at these rates poses unacceptable risks of leachate discharge to surface waters, the Board will consider requiring higher extraction rates or installation of other control facilities.
8. This Order supersedes and hereby rescinds CAO No. 92-058 and amended CAO No. 93-059.
9. Pursuant to Section 13304 of the Water Code, the discharger is hereby notified that the Regional Board is entitled to, and may, seek reimbursement for all reasonable cost actually incurred by the Regional Board to investigate unauthorized discharges of waste and to oversee cleanup of such waste, abatement of the effects thereof, or other remedial action, required by this order. Upon receipt of a billing statement for such costs the discharger shall reimburse the Regional Board.

I, Loretta K. Barsamian, Executive Officer, do hereby certify that the foregoing is a full, true and correct copy of an Order adopted by the California Regional Water Quality Control Board, San Francisco Bay Region on November 15, 1995.


Loretta K. Barsamian
Executive Officer